

AMENDED IN SENATE JANUARY 12, 2006  
AMENDED IN SENATE SEPTEMBER 1, 2005

**SENATE BILL**

**No. 262**

**Introduced by Senator Dunn**

February 15, 2005

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~~An act to add Section 6046.7 to the Business and Professions Code, relating to law schools. An act to amend Section 6145 of the Business and Professions Code, relating to attorneys.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 262, as amended, Dunn. ~~Committee of Bar Examiners; unaccredited law schools~~ *State Bar of California: audit.*

Existing law, the State Bar Act, provides for the licensing and regulation of attorneys by the State Bar of California. ~~Under existing law, the Committee of Bar Examiners examines all applicants for admission to practice law. Existing law also requires that law schools not accredited by the examining committee of the State Bar provide every student with a specified disclosure statement. Existing law requires the Board of Governors of the State Bar to contract with a nationally recognized independent public accounting firm to conduct an audit of the State Bar's financial statement for each fiscal year.~~

~~This bill would make the Committee of Bar Examiners responsible for the regulation, and oversight of unaccredited law schools.~~

*This bill would require the Board of Governors to contract with a qualified independent public accounting firm, rather than a nationally recognized independent public accounting firm, to conduct the State Bar audit.*

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 6145 of the Business and Professions  
2     Code is amended to read:

3     6145. (a) The board shall contract with a ~~nationally~~  
4     ~~recognized~~ *qualified* independent public accounting firm for an  
5     audit of its financial statement for each fiscal year beginning  
6     after December 31, 1998. The financial statement shall be  
7     promptly certified under oath by the Treasurer of the State Bar,  
8     and a copy of the audit and financial statement shall be submitted  
9     within 120 days of the close of the fiscal year to the board, to the  
10    Chief Justice of the Supreme Court, and to the Assembly and  
11    Senate Committees on Judiciary.

12    The audit shall examine the receipts and expenditures of the  
13    State Bar and the State Bar sections, to assure that the receipts of  
14    the sections are being applied, and their expenditures are being  
15    made, in compliance with subdivision (a) of Section 6031.5, and  
16    that the receipts of the sections are applied only to the work of  
17    the sections.

18    The audit also shall examine the receipts and expenditures of  
19    the State Bar to ensure that the funds collected on behalf of the  
20    Conference of Delegates of California Bar Associations as the  
21    independent successor entity to the former Conference of  
22    Delegates of the State Bar are conveyed to that entity, that the  
23    State Bar has been paid or reimbursed for the full cost of any  
24    administrative and support services provided to the successor  
25    entity, including the collection of fees or donations on its behalf,  
26    and that no mandatory dues are being used to fund the activities  
27    of the successor entity.

28    (b) The board shall contract with the Bureau of State Audits to  
29    conduct a performance audit of the State Bar's operations from  
30    July 1, 2000, to December 31, 2000, inclusive. A copy of the  
31    performance audit shall be submitted by May 1, 2001, to the  
32    board, to the Chief Justice of the Supreme Court, and to the  
33    Assembly and Senate Committees on Judiciary.

34    Every two years thereafter, the board shall contract with the  
35    Bureau of State Audits to conduct a performance audit of the  
36    State Bar's operations for the respective fiscal year, commencing  
37    with January 1, 2002, through December 31, 2002, inclusive. A  
38    copy of the performance audit shall be submitted within 120 days

1 of the close of the fiscal year for which the audit was performed  
2 to the board, to the Chief Justice of the Supreme Court, and to the  
3 Assembly and Senate Committees on Judiciary.

4 For the purposes of this subdivision, the Bureau of State Audits  
5 may contract with a third party to conduct the performance audit.  
6 This subdivision is not intended to reduce the number of audits  
7 the Bureau of State Audits may otherwise be able to conduct.

8 ~~SECTION 1. Section 6046.7 is added to the Business and~~  
9 ~~Professions Code, to read:~~

10 ~~6046.7. Notwithstanding any other provision of law, the~~  
11 ~~Committee of Bar Examiners shall be responsible for the~~  
12 ~~approval, regulation, and oversight of unaccredited law schools.~~